

REMARKS

Claims 17-21 are currently pending and being considered (since claims 22-36 were withdrawn in view of the election of Group I in the response filed May 5, 2004).

Applicant respectfully request that the Examiner acknowledge in the next office communication whether the drawings are accepted.

With respect to paragraph two (2) of the Office Action, claims 17 - 21 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,950,166 issued to "Häb-Umbach" et al. (hereinafter referred to as "Häb-Umbach").

For a claim to be rejected for obviousness under 35 U.S.C. § 103(a), the prior art must disclose or suggest each feature of the claim, and it must also suggest combining the features in the manner contemplated by the claim. See Northern Telecom, Inc. v. Datapoint Corp., 908 F.2d 931, 934 (Fed. Cir. 1990), cert. denied, 111 S. Ct. 296 ; In re Bond, 910 F.2d 831, 834 (Fed. Cir. 1990).

As understood, "Häb-Umbach" refers to a system having speech actuated control for use with a consumer product, and uses a speech recognizer 30 in conjunction with a router 36 and multiple actuators 32 and 34 to power one or more control subsystems 38, 40 and 42, such as illustrated in Fig. 1. As in Fig. 4 and the accompanying text in the specification, "Häb-Umbach" refers to receiving a physical queue, the "actuation of the button 2 in FIG. 2." (col. 4, line 26). After a waiting loop, the next step is "actual speech recognition." (col. 4, line 28). After determining if the recognition is complete, the system of "Häb-Umbach" then proceeds to perform a specific operation through the steps 62 and/or 64 until one of the up/down buttons of a toggle switch is activated. (col. 4, lines 45-48). In other words, "Häb-Umbach" allows for a single toggle switch to have multiple designated functions through voice-activated association of the toggle functions of the toggle switch. For example, if a user voice-activates the toggle switch to relate to a window, a toggle selection up may raise the window and a toggle selection down may lower the window and if the toggle switch is designated for a radio a toggle selection up may increase the volume and toggle selection down lowers the volume.

In contrast, claim 17 provides for "outputting to an operating person an indication of the readiness of the system to receive a voice command by mechanically deflecting from a preestablished position of one of the operating elements and a part thereof, so as to directly influence a tactile sense of an operating hand of the operating person".

Since the system of “Häb-Umbach” apparently generates a physical association for a toggle switch in response to the voice recognized command, it does not disclose or suggest, the mechanical deflection of an operating element and a part thereof to influence a tactile sense of an operating hand. The “Häb-Umbach” reference even teaches away from this feature by referring to the physical alignment for toggle switch operations based on the voice recognition. In other words, in addition to other differences, the system of “Häb-Umbach”, upon voice recognition, does not physically change the toggle switch itself, but rather changes the associated meanings for toggle switch operations. For example, under “Häb-Umbach”, once a voice recognition activity is concluded, the router 36 adjusts the function generated by depressing the static actuators 32 and 34 which is wholly inconsistent with the feature of claim 17, namely the feature of “mechanically deflecting an operating element to influence a tactile sense of an operating hand”, so that claim 17 is allowable.

Claims 18-21 depend from claim 17, and are therefore allowable for the same reasons as claim 17.

Accordingly, claims 17 to 21 are allowable.

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Conclusion

In view of the foregoing, it is respectfully submitted that all of pending and considered claims 17 – 21 are allowable, and it is therefore respectfully requested that the rejections be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

Respectfully submitted,

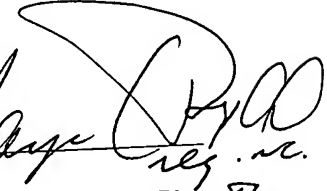
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